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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 FRANCISCO MERINO,
12 Plaintiff,

13 v.

14 VIVIAN VUONG,
15 Defendant.
16

No. 2:21-CV-0826-KJM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42
18 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 50, for an order requiring
19 "Defendant 'UC Davis Eye Center'" to file an answer. Plaintiff's motion is denied because UC
20 Davis Eye Center is not named as a defendant to this action. Vivian Vuong is the only named
21 defendant and, as to Defendant Vuong, the Court has determined that Plaintiff fails to state a
22 claim upon which relief can be granted. See ECF No. 32 (Findings and Recommendations).

23 IT IS SO ORDERED.

24 Dated: September 16, 2022



25 DENNIS M. COTA
26 UNITED STATES MAGISTRATE JUDGE
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